

DOCKET FILE COPY ORIGINAL

Before the
Federal Communication Commission
Washington, D.C. 20554

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APR 24 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re

Joseph Frank Ptak
San Marcos, Texas

Order to Show Cause Why a
Cease and Desist Order Should Not Be Issued

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CIB Docket No. 98-44

**IN THE MATTER OF AN ORDER TO SHOW CAUSE AND
NOTICE OF OPPORTUNITY FOR HEARING**

On This Day Of April 18, 1998

COMES NOW BEFORE THE COMMISSION :

the **HAYS COUNTY GUARDIAN**, who is the founder and controller of the radio station known as μ Kind Radio San Marcos. We as the Hays County Guardian request status to the above mentioned hearing for the following reasons, but not limited to:

Mission:

The mission of μ Kind Radio San Marcos / Hays County Guardian is to defend the liberty of San Marcos residents by providing a local community access to speech about matters of highest public concerns, political and economic reform, cultural and historical perspectives and information about local and international environmental issues. As our founding fathers would attest, and we practice and believe, is that there is a greater value of political speech over commercial speech.

1. To show cause relating to, but not limited to, the abuse of the airwaves in San Marcos, Texas by the Federal Communication Commission (to be referred to as the FCC from here on) in that none, or so limited that to be considered none, of these items exist on local commercial radio, because there is no commercial station that services the city of San Marcos with: local news, public service announcements, community access to cable television, community access to radio, community businesses access to advertising market, emergency weather reports, especially for persons in cars and house trailers locally, crime and crime scenes in action, local community flavor, except the non-commercial station known as μ Kind Radio San Marcos, 105.9. As well as to

at 505 Patricia Drive, San Marcos, Texas from Joseph Frank Ptak

3. Joseph Frank Ptak and Jeffrey "Zeal" Stefanoff are two of the publishers of the Hays County Guardian, an alternative media service recognized by the great State of Texas, who are the Directors the station known as μ Kind Radio San Marcos on 105.9 FM and the reasons for cause for the need of the Federal Communication Commission to not issue a Cease and Desist Order are greater than those of just Joseph Frank Ptak and could not be expressed by Joe Frank Ptak only. There is a community issue of news service and who is actually doing the broadcasting and who owns the equipment and assumes the responsibility.

4. The transmitter and all related equipment are the property of the Hays County Guardian and with threat of forfeiture our inclusion is of utmost importance. Some of the equipment is that of the seventy nine or so programmers who inclusion because of issue and forfeiture is of utmost importance.

5. As concerning returning letters from the FCC the Hays County Guardian / μ Kind Radio San Marcos have sent several letters to the FCC since your letter April 17, 1997. (letters enclosed)

6. There is some question as to the authority of the FCC as certain enforcement and other administrative procedures have not been published in the Federal Registrar and whether the FCC has jurisdiction in the area.

7. The focus of this hearing is expanded to include the facts that we are operating totally within the great State of Texas and doing no commercial business, the FM frequency that we are using has been a unclaimed resource of the great State of Texas and using the Right of Capture laws of this state, we have captured this frequency and having remained on this frequency for twenty-four hours a day, seven days a week for over a year and therefore have through adverse possession we have homesteaded this frequency.

8. Negligence of the FCC for not upholding their charge given to them by Congress and have allowed and promoted all the frequencies assigned to Hays County and the city of San Marcos to be removed to a larger city as we have no

more than practicing freedom of speech as protected by the Constitution of the United States of America and upheld by federal court decisions for over 200 years now on the edge with the Dunifer case.

10. That we are under 100 watts in our transmissions and this has been a deregulated area for unused frequency use.

11. The FCC has no jurisdiction with under 100 watts stations in the state of Texas airwaves if we are not causing interference with air traffic, other stations (licensed or not), decrying the overthrow of the government or any other crimes or high misdemeanors of treason, that we exist on a non-licensed un-used un-claimed band width, we do no advertising, we do not cross state lines.

12. This is the most ultimate soapbox for public forum in an arena that is accessible to the general public in an area originally created for this use and it should be the FCC trying to get us to stay on the air instead of protecting corporate interests and promoting a monopoly for only a few, in direct violation of your charge to promote the public welfare, to include at the top of that list the Bill of Rights, with its protection of the right of the citizen to freedom of speech. I question, where is your forum, after fifty years as a federal agency, for public dialogue in each town, village and city? Where is your cable access in San Marcos?

We charge you have become a licensing agency for corporate interests and have hindered affordable access to non-corporate interests. As citizens and "electronic pamphleteers" we at the Hays County Guardian, founders of μ Kind Radio San Marcos, are practicing freedom of speech along with seventy-nine programmers supported by local business, elected officials (as we have given free and almost unlimited access to political candidates and have created a forum to further promote greater political dialogue, within the community, amongst political candidates). How is it that a bunch of hicks in Texas can create a forum within one year and your federal agency couldn't do it in fifty years? In the constitution we the people have been charged to be ultimately responsible for the powers of the Constitution.

13. All supporting evidence will be presented at hearing, unless requested earlier through discovery.

14. Political Candidates have no other forum in our fair city. As our news show

Mayor Billy Moore and mayoral candidate David Leder, City Council candidates Brett Stahl, Mike Stanley, K. Tatum, Mike Fina, Ed Mihalkanin and Paul Husbands, federal Congressional candidates, Margaret Dunn, Loy Sneary, Tom Reed and Roger Elliot, as well as Texas Attorney General candidates John Ceryn and Barry Williamson. We emphasize and reiterate at this point that value of political speech over commercial speech. Also other shows interview candidates and there is a special section and phone cards set up to call legislators on pending issues such and Senate Bill 270 and the Wellstone Amendment as well as others.

15. Because we can not afford attorney(s), and there are at least seventy nine people that are also on the air and do their own shows that will need to testify to prove the reasons why the FCC should not stop freedom of speech as it exists on 105.9 FM by not issuing a Cease and Desist order, nor can we even afford food most of the time, we request that since we qualify as paupers, the hearings are held here in San Marcos, Texas 78666.

Resolution

1. The FCC will not issue a Cease and Desist order and will actively assist the Hays County Guardian / μ Kind Radio San Marcos in their attempt to keep the forum going that exists presently on μ Kind Radio San Marcos. One possibility would be the issuance of a license as we previously requested, maybe one of the new petitioned low power FM license. We could be your experimental flag ship to set the ball in motion for Petition RM -9242. Furthermore the FCC will issue Cease and Desist orders to all licensed commercial corporate FM stations until the citizens have regained access to the FM airwaves and decisions will be determined as to how to remove all corporate influence for the FM band.

Furthermore:

We as the Hays County Guardian / μ Kind Radio San Marcos pray and request the Hearing Judge to over look technical mistakes and procedural and protocol mistakes in the process of this hearing as we can not afford an attorney nor any legal services and we are defending our rights of freedom of speech as citizens of the Great State of Texas and the united States of America.

Also, but of no lesser importance, with the lack of consistency on the imposition of FCC policy by the FCC ranging from seizures and arrests in Florida and California and then hearings to five stations to show cause we are left without a

We have requested a waiver and license and help for the FCC with no response. (letters enclosed).

We are such a unique community that we have the smallest and only private local phone company in the nation and the are licenced by the FCC.

Prayer:

Since San Marcos is not serviced by a radio station of local origin and since the FCC "receives similar inquiries from persons wanting to operate low power stations nearly everyday" we pray the FCC starts listening to the citizens of the U.S.A. and open up the FM frequency to us citizens at a affordable price, since the technology now exists to operate low power permanent stations that are non-commercial and of great public interest and a political forum. This forum, created by μ Kind Radio San Marcos, gives local, state and federal candidates access to the communities they represent. There has been well over 40 hours of political candidates on the air that the citizens of San Marcos would never had the ability to hear during this last primary election and there will be more on the coming city election had μ Kind Radio not been on the air.

Why is it so important for the FCC to stop people from communicating as a community over the air waves? Would our founding fathers really approve of the FCC as it exists now? Would the founding fathers agree that the air waves should be controlled by a few corporations with high wattage that broad cast over great distances? Or would they believe it is better to have a lot of non-corporate non-commercial citizen access low wattage stations that just broadcasts to a local community?

Without our station the public interest and access to candidates would not exist and for the FCC to shut us down would do irreparable damage to the citizens of San Marcos that will be deprived of local news, alternate news and views, weather, public interest stories and information, citizens opinions, free exchange of ideas, political candidates and political forums, from issues on the ballot to federal Congressional Representatives, from interviews with the Mayor of San Marcos to the Attorney General of the Great State of Texas. As the mayor said to CBS news, " If these people are pirates, then I'm not sure what **K**ind of ship they're sailing," ... the ship of liberty, on the winds of freedom!

In Liberty,

John "Zeal" Siff
John "Zeal" Siff, et al.

**Before the
Federal Communication Commission
Washington, D.C. 20554**

In re

Joseph Frank Ptak
San Marcos, Texas

Order to Show Cause Why a
Cease and Desist Order Should Not Be Issued

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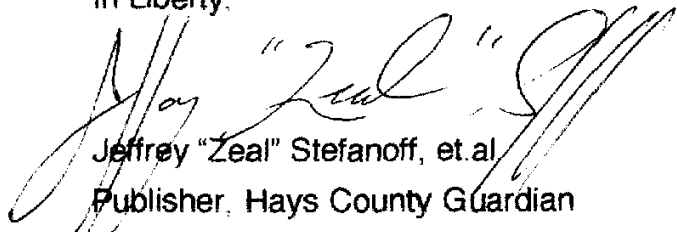
Motion for Discovery

On This Day Of April 17, 1998

COMES NOW BEFORE THE COMMISSION :

the **HAYS COUNTY GUARDIAN**, who is the founder and controller of the radio station known as μ Kind Radio San Marcos. We as the Hays County Guardian / μ Kind Radio San Marcos request all materials, communiques, Fax(es), electronic transmissions, written or typed memos, notes, paper work, and all information and material that will be used by the FCC or their prosecutor against Hays County Guardian / μ Kind Radio San Marcos during the above mentioned hearing.

In Liberty.



Jeffrey "Zeal" Stefanoff, et.al

Publisher, Hays County Guardian

Director/Founder, μ Kind Radio San Marcos

P.O. Box 305

San Marcos, Texas 78667

Before the
Federal Communication Commission
Washington, D.C. 20554

In re

Joseph Frank Ptak
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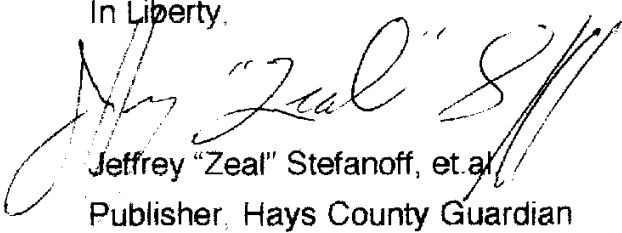
Motion for Change of Venue

On This Day Of April 17, 1998

COMES NOW BEFORE THE COMMISSION :

the **HAYS COUNTY GUARDIAN**, who is the founder and controller of the radio station known as μ Kind Radio San Marcos. We as the Hays County Guardian / μ Kind Radio San Marcos can not afford attorney(s), and there are at least seventy nine people that are also on the air and do their own shows that will need to testify to prove the reasons why the FCC should not stop freedom of speech as it exists on 105.9 FM by not issuing a Cease and Desist order, nor can we even afford food most of the time, we request that since we qualify as paupers, the hearings are held here in San Marcos, Texas 78666.

In Liberty,


Jeffrey "Zeal" Stefanoff, et al

Publisher, Hays County Guardian

Director/Founder, μ Kind Radio San Marcos

P.O. Box 305

San Marcos, Texas 78667

Hays County Guardian
P.O. Box 305
San Marcos, Texas 78667

Federal Communication Commission
1270 Fairfield Rd.
Gettysburg, Pa.
17325-7245

Dear Folks,

We are sending this letter to notify and communicate to you all what is going on down here in Texas, at least our part, and let you know of the solutions we have worked out and some other possible solutions that might prevent further problems in the future.

Our problem is that in our town and area we have no access to communicate community and public concerns amongst the local citizens and there is also decline on grass root news media groups such as ourselves, because of the corporate take over of small town newspapers.

Originally we started a local newspaper, noncommercial, to create a public dialog as all the regular papers did not seem to be presenting all opinions. We did this for almost a year until a government agency banned our paper causing problems with our advertising and effectively put us out of operation. After four years we finally won in the United States Supreme Court and since then we have been only been able to publish a few times. It is hard to recapture that energy and as technology has advanced we have tried other routes.

We first had one of our publishers become a television producer but it seems that cable access is totally inaccessible to the local citizens. Do you all have anything to do with this as this seems to be a great problem? We do have a show on in another city but it does not reach our community.

The other problem is that the large city of Austin to the north has stolen our local FM radio station. They have their tower at the closest point to Austin and just in the very edge of our county. Their offices are in Austin, it is a long distance call just to talk to them, their advertising comes out of Austin, there shows are about Austin and their news is about Austin. People from our poor town can not even afford to advertise on this station. We are so poor down here there is no one I know of rich enough to afford a license. So you can see our dilemma.

Well we recently heard about a court case out in California about micro-radio and we realized that was our solution. We have meet with the people from California and further increased our information about broadcasting without a license under 100 watts. So now we are opening a station here in San Marcos on FM 105.9. We will do no advertising and we will create a community format so other opinions and ideas can be expressed locally in our community. We have done our homework and no one uses or is near this airwaves we have chosen, so we will not interfere with any other radio station. We have a transmitter that really holds our signal well and we put out a really fine sound. Built from Radio Shack parts and such, can you believe where modern technology has taken us? It was like when we did our newspaper, we used laser print from Kinko's and typed the stories in at the community access computers at the local university. That way it was affordable to the local folk as you did not have to have a line-o-type machine, only printing costs. But now a days with all this new technology we can eliminate even the somewhat expensive costs of printing. We have less money in this station then what it cost to publish one edition of our paper. This is like a modern day soapbox, except modern, and not based on owning enough pieces of expensive

equipment and expensive licenses to control the speech. We could have never published without the technology advance of the computer and laser, just as we would have never been able to broadcast without the technology advancements in transmitter and electronic components. We are really trying to be top shelf. We would appreciate it if you would allow the poor people this station so we can have a little free speech down here and not put a rich peoples license on our frequency.

In fact we think this could be a solution for all communities here in central Texas. We understand that this 105.9 frequency has a historical record of people in the central Texas area using this for freedom of speech and community opinions and ideas and since licenses are only available to the rich, why not just leave 105.9 open and maybe a couple other frequencies and allow local folks open noncommercial speech. Kind of like open night mike at a bar. Imagine driving down IH 10 and from Houston to El Paso and leaving your radio on 105.9 and as you passed through each county and community the broadcasting would be from local folks talking about their community as one station passed and faded another would start. All under 100 watts. What ideas could be communicated? Freedom of speech on the airwaves with out regard to your economic level to present an opinion. This way common folk and poor folk can have a little of the airwaves for speech.

You know that pamphlets and leaflets, and we believe now radio, have been historic weapons in the defense liberty, as the pamphlets and words of Thomas Paine and others in our own history attest. We will be noncommercial speech about matters of the highest public concern, political and economic reform and the local and international environment. We will operate twenty-four hours a day, seven days a week. No one will get paid and no profit gained on this endeavor. We might have to get some bands together to play a benefit or maybe walk the streets door to door to raise the money for electricity, a phone and such but we will get by. You know most of our equipment so far has come out of dumpsters as we have a large university that the students throw away a lot of stuff. So if you do not have a category for what we are or what we are trying to do (free speech), then how about issuing us one of your waivers, it would be greatly appreciated.

If you got a real big problem with what we are doing then you better contact our lawyer, Patrick J. Wiseman, 1004 West Avenue, Austin, Texas 78701-2019, phone (512) 479-5017, otherwise we are including a check for all your trouble in the amount of twenty five dollars.

We really appreciate your time and concern for us folks down here in central Texas and hope you listen to our plight as well as you listen to corporations and those people with lots of money that just want to make a profit off our community airwaves. If these airwaves frequencies have to flow through our body all the time maybe a few can be reserved for the citizens. Thanks a bunch for all.

Environmentally Yours,

Jeffrey "Zeal" Stefanoff, Joe Ptak, Joe Simpson
Publisher
Hays County Guardian
P.O. Box 305
San Marcos, Texas 78666

11/30/97

Hays County Guardian
aka- μ Kind Radio San Marcos (or as pronounced Microkind Radio San Marcos)
P.O. Box 305
San Marcos, Texas 78667

Federal Communication Commission
1270 Fairfield Rd.
Gettysburg, Pa.
17325-7245

Dear Folks,

This is a letter to complain that there is a radio station in Houston that is bleeding over from their 105.7 to our micro station channel 105.9. Now this is pretty far away from Houston to regularly cause this problem. We called them and they said they were going up in power. That still does not give them the right to bleed over. Their call letters are KHCB, 1-888-777-KHCB or 1-713-520-5200. We talked with Bruce on 10/24/97.

We feel that this station might be intentionally doing this as it is a regular occurrence and they take no measures to correct it and they even joked about it and their station is diametrically opposed to ours in content. Our station does not bleed and we receive many calls from our listeners.

We were also informed by that station that they were setting up a repeater tower here in San Marcos on 88.1 and mounting the antenna on the phone company tower. Now this is a travesty of justice. There is no local radio station that serves San Marcos, our licenses have been stolen and taken to Austin so we have no community access nor news, nor public service announcements from those stolen licenses. Yet our micro station does all that and more and you are not trying to work with us to help our community.

The last we heard from you all was for us to apply for a license so you could consider us for a waiver. Give us a break, we are still trying to figure how to apply for a license under 100 watts when you don't issue licenses under 100 watts. Maybe you are all into eastern paradox but we do not really appreciate being sent on a wild goose chase by your office.

We serve this community during elections, community disasters, public forum, public service announcements, news, bilingual access and community access. This is not vanity press, this is a community that the FCC has sold out and the citizens only want a local station for their community needs.

Please help us regardless that we are not commercial radio nor Christian radio. We are trying to help our community. Just who are you trying to help? Please, please help us, we are citizen of this here great country also and our fair town should have access to our community air waves rather than a rebroadcaster out of Houston.

In Freedom of Speech for all,

Jeffrey "Zeal" Stefanoff
Joe Ptak
Hays County Guardian
aka-(Micro) μ Kind Radio San Marcos 105.9 FM
P.O. Box 305
San Marcos, Texas 78667

January 10, 1997

Hays County Guardian
aka- μ Kind Radio San Marcos (or as pronounced Microkind Radio San Marcos)
P.O. Box 305
San Marcos, Texas 78667

Federal Communication Commission
1270 Fairfield Rd.
Gettysburg, Pa.
17325-7245

Howdy Folks,

It's us down here in Texas again at μ Kind Radio San Marcos. We're hopping upset with ya'll and we would like a few answers from questions we previously asked and the ones we are going to ask in this letter. So here goes.

First, but not necessarily the most important, is we have yet to receive a reply from ya'll about our letter dated November 30, 1997. We will enclose a copy just in case ya'll lost the last but I hope we don't have to do this every time we send ya'll a letter. Maybe ya'll have someone from Texas that works with ya' that could deal with us as ya'll seem to be having some problem with dealing with us.

Ya' see we really believe that our community needs a radio station and we are trying to do that yet ya'll don't seem to care what the citizens need, want or have the right to have. At present we have well over one hundred and fifty persons on the air each week doing 75 different shows. Now that 's cool! Much different then having that many people trying to be on the air each on a different station in this same community. Boy howdy could you imagine that many people opening their own radio station. That's why we feel our solution is working and we just want some help from ya'll. We are on the air twenty four hours a day seven days a week. We have one of those nasty weather report radios that we have been able to warn our community about coming tornados, sever weather, flash floods and other pending disasters that since we have no local TV or radio the fine peoples of this community would never had any warning. We don't do no advertising on the air. And since the very beginning we have disciplined our programmers to not be vulgar over the air waves. Why one police officer that was busting two of our programmers just two days ago said how they all enjoyed listing to μ Kind Radio San Marcos now that we have gotten everyone into the swing of freedom of speech and what protectec speech is. Why those same police have said they have used our radio broadcasts to even catch criminals. We are serving our community.

So why won't ya'll deal with us like ya'll deal with the rich folks that want to get a license with big money? Is radio about money or community service and freedom of speech?

So ya'll still haven't told us how to apply for a license under 100 watts when ya'll don't issue license under 100 watts. That's why originally we asked for a waiver! And how do we do it as poor people without money? The rest of the government has ways of helping the poor get the

little odd here don't ya'll think? So before ya'll go trying to steal another radio station from San Marcos why don't ya'll include us in on these here secret meetings and send us all notes, memos, letters, faxes, contracts, receipts and any communications dealing with the 105.9 FM frequency here in Texas between your offices and any other parties, under the Freedom of Information Act of 1974. We hate to utilize this form to get the information you should be sending us any way, but since ya'll won't work with us it seems necessary. Also include how poor folk can have a chance of getting in to the process that ya'll seem to give to the rich. Also include how many other poor folks and what stations they have that you have helped to get or stay on the air? Do that under the same act of 1974 and please defer all costs because we as the Hays County Guardian being a registered media organization by these here State of Texas are exempt from any charges under the Freedom of Information Act of 1974. Thanks!

Ya' know we don't broadcast across any state line and for you as the Federal Government to issue a license to some one else on our frequency that will cross state lines might create a states rights issue. Just a thought!

Please just give us our waiver to use this frequency as we have a community that has gotten use to the public service on this frequency of 105.9 and tell the rich that we are grandfathered-in and we are poor and we do no commercials so they need to look else where for some profit over our rights.

By the by, wasn't FM set up for the citizens and as non-commercial?

Well we hope to hear from ya'll soon and please answer all our questions and send the information we requested. Thanks bunches!!!

In Freedom of Speech for all,

Jeffrey "Zeal" Stefanoff
Joe Ptak
Hays County Guardian
aka-(Micro) μ KInd Radio San Marcos 105.9 FM
P.O. Box 305
San Marcos, Texas 78667

January 24, 1998

Hays County Guardian
aka- **μKind Radio San Marcos 105.9FM**
(or as pronounced Microkind Radio San Marcos)
P.O. Box 305
San Marcos, Texas 78667

Federal Communication Commission
1270 Fairfield Rd.
Gettysburg, Pa.
17325-7245

Howdy again Folks,

Sorry to be writing ya'll so much but we heard from our informant that there was a bid for our radio station going out and all bids need to be sent in by the end of the month. Now come on why didn't ya'll tell us about this so we don't miss the deadline? Boy Howdy ya'll are really trying to push our buttons and turn our knobs and it's gettin' us madder then a wet hen!!

Now lets just slow down here one minute and put these here things in perspective. First if you need a bid then we bid our sovereignty as a city to the United States of America and the great Constitution that formed this here country. We believe that the air waves are for the peoples of this here country and that selling our rights as American Citizen to the highest bidder excludes us poor folk from participating in this here democracy. So we feel if you can sell our station for profit over freedom of speech, due process and the rest of the Constitution that you are undermining this great country that many of us put our life on the line to defend. We don't mind people making money, just don't sell our rights, the White House, the Constitution or our only means to communicate to our community since you sold all the licenses for San Marcos to other cities and we have no way to communicate to each other or announce city disasters, local news, public announcements or other such stuff.

Second, please inform us of all the stuff you are doing trying to undermine our rights, freedoms and liberties givin to us under the Constitution of the United States of America. I just can't believe ya'll are so naive to believe you can exclude us from the due process we deserve.

Third we have already asked for a waiver and this is more then due since we don't cross no state lines and we are out of your jurisdiction, but if you put a federal station over our state station then by golly your have gone too far and violated our states rights.

So include our bid of sovereignty in your process and then tell the other people it didn't work out and you can't violate our rights, so 105.9 FM is for San Marcos and is a community access station that is non-commercial, not- for -profit and open to all.

In Freedom of Speech and Liberty for all,

Jeffrey "Zeal" Stefanoff

Joe Ptak

Hays County Guardian
aka-(Micro) **μKind Radio San Marcos 105.9 FM**
P.O. Box 305
San Marcos, Texas 78667

Call in and be Heard 512-754-0274



505 Patricia Drive
San Marcos, Texas 78666
(512) 754-0274
www.mediadesign.net

William Kennard
Chairman
Federal Communications Commission

March 18, 1998

Dear Chairman,

Thank you for your invitation via the March 9, USA Today, to work together with the FCC in crafting solutions that can result in more local radio outlets.

First, let us introduce ourselves and clarify what we are doing and why we are doing it.

The law is the law and we respect the law and the legal process. We believe in the Constitution of the United States and in the principle of innocent until proven guilty.

We also have experience with the law and the legal system. We have defended legal principles and changed laws.

We are a product of the **Hays County Guardian**, described by the United States Supreme Court as, "not commercial speech... and papers like the **Guardian** have been historic weapons in the defense of liberty as the pamphlets of Thomas Paine and others in history attest" (*Supple vs. Hays County Guardian*).

We are known as **uKind Radio San Marcos**, over 70 people sharing a mission to defend the liberty of San Marcos residents by providing local community access to speech about matters of highest public concern, political and economic reform, cultural and historical perspectives, and local and international environmental issues.

We are electronic pamphleteers, dedicated to preserving the Constitution and the underlying rights of the public to the airwaves.

We are committed to maintaining the value of political speech over commercial speech and the rights of citizens over corporations.

We are providing non-commercial access to all those willing to engage in civil discourse.

We are not breaking the law. The law says that the FCC has jurisdiction over intrastate communications and commerce. We do not broadcast much beyond our county's borders, much less the state's. We also do not permit any type of commercial activity over the airwaves.

We do not interfere with other FM broadcasters nor with any aircraft, medical emergency or law enforcement transmissions.

We are not a safety hazard. All of our technical equipment is properly operated and maintained.

We enforce a policy to strongly discourage slander, pornography and obscenity over the airwaves.

We are not in violation of any city ordinances, thanks to a jury of our peers who acquitted us of all charges, nor have we violated any county or state laws.

We are not aware of any licensing requirements for transmissions below 100 watts, but we have learned about the illusion that the stations which own the license in a community should broadcast for the benefit of that community.

There is no local radio station in San Marcos because the licenses have been sold by your agency to corporations more interested in profiting from the advertising markets in Austin than providing our community with local programming.

The average price for one of these licenses is \$30-45 million and there is a rapidly dwindling number of independent stations.

Now we learn that the frequency we use is to be sold to Capstar Broadcasting Corporations which owns over 300 stations across the US.

Before we went on the air, we told the FCC what we planned to do and asked for the licensing requirements which would be appropriate for our type of transmission.

What we have received is threats of arrest and seizure of property, false accusations and lack of responsiveness to our concerns from everyone at the FCC we have asked to help us in our predicament

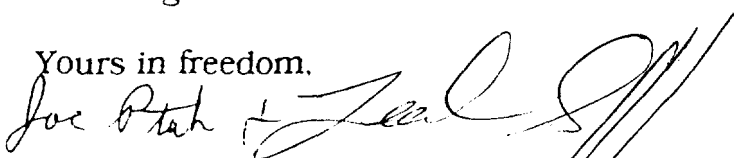
We are now asking you to be our advocate. You say that you are interested in using new technologies to serve niche communities.

We are using new technology to provide our community with a vital service and are the microbroadcasting "good guys". Please assist us in our efforts to continue to provide our community with the programming it deserves and work with us to provide other communities with the same opportunity.

There is enough room on the dial for us all to be heard.

We look forward to your direction and guidance in this matter.

Yours in freedom,

Handwritten signatures of Joe Ptak and Jeffrey "Zeal" Stefanoff. The signature of Joe Ptak is on the left, and the signature of Jeffrey "Zeal" Stefanoff is on the right, written in a cursive style.

Joe Ptak, uKind Director

Jeffrey "Zeal" Stefanoff, uKind Director

incarcerate the nonviolent victimless crime citizen!

al labor
al Audio

754-0274 call in



Kind 105.9
RADIO
San Marcos

Wednesday	Thursday	Friday	Saturday	Sunday	Monday
<p>of W.B. oroughs Show AM</p> <p>RD Music ua 8-10 am</p> <p>with SanMarcos S ten -noon</p> <p>Noon</p>	<p>Little Guy Radio 4 - 8 am</p> <p>One Step Beyond 8 - 10am with RUS</p> <p>Colonel Forbin & Joe Ptak Scattered Heads Up! Insane Talk & News ten-noon</p> <p>Noon</p>	<p>Rude Awakenings 6 - 8 AM</p> <p>Metal Meltdown 8 - 10 am</p> <p>Joe Ptak with HeadsUp! SanMarcos Talk-News ten -noon</p> <p>Noon</p>	<p>Morbid Mourning 6 - 8 am</p> <p>Big Tuna 8 - 10 am</p> <p>Story Hours with Karen 10-noon</p> <p>Noon</p>	<p>Kneeling Drunkards 6 - 10 am Plea "and he will send his angels with a loud trumpet call" Matthew 24:31</p> <p>Mixx Mobb 10 - noon</p> <p>Noon</p>	<p>30 Watts and Waste 6-10 am</p> <p>Joe Ptak with HeadsUp! SanMarcos Talk-News ten -noon</p> <p>Noon</p>
<p>NNER Stevo 12-2pm</p> <p>ol Deuce 2-4pm</p> <p>la 51 with Jeff</p> <p>Col. Forbin pig & the hippie 6-8 pm</p> <p>the 8-10pm</p> <p>Bap</p> <p>Stang</p> <p>eir Thang' 12 am</p> <p>Midnight</p>	<p>Willy One Blood Noon - 2pm</p> <p>Old Skool Deuce with Bee 2-4pm</p> <p>Know Your Rights with Bret 4-6pm</p> <p>Riflebutts & Truncheons 6 - 8pm</p> <p>Cap't Conspiracy 8-10 pm</p> <p>Creepy Monica 10pm -12 am</p> <p>Midnight</p>	<p>Liberty Call noon til 2 pm with Chris</p> <p>Ask Unca' Will Show with Mr. Jones two - four pm</p> <p>Tom and Melissa 4 - 6 pm</p> <p>High on the Air 6-7 pm a High Times production Radio Bubble Gum Music Calander & Interviews 7-8 pm</p> <p>Estrogen Hour of Power So Powerful It's Two Jody Dodd & TJ Pucker 8-10pm</p> <p>Audio Ocean Jennifer 10-12am</p> <p>Midnight</p>	<p>What's the Story Dave? 12-2pm</p> <p>Protect Texas Rivers 2 - 4pm</p> <p>Red Neck Noise</p> <p>Four til Six SHOW</p> <p>high adventures ramblings of the Village Idiot Zeal "let's go smoke some pot on baby!"</p> <p>Keith & Dixon Excitable Boys 8-10 pm</p> <p>Ritmo Salvaje musico exotico del mundo con Joe 10 - Midnight</p> <p>Midnight</p>	<p>Dissent noon til 2pm</p> <p>Leonard and Junior 4 til 6 pm</p> <p>the R-N-R Show with Sharkez 6-8 pm</p> <p>High C Mix 11:00pm 8-10:30 pm</p> <p>Open 10:30 til 12:30</p> <p>The New Adventures of Col. Forbin 12:30 - 3:30am</p> <p>Mixed Signals 3:30 til 6:00 am</p>	<p>Mike Time 12 - 2PM</p> <p>Mode Mode Mode Drek Zarkov 2 - 4 pm</p> <p>Smokey Joe Show 4 til 6 pm</p> <p>Humble Time Unplugged Texas Songwriter's Radio Al Barlow Showcase 6-8 pm</p> <p>Big Rob Radio 8-10 pm</p> <p>"20 YEARS OF METAL" 10pm til 12am with Metal Mark Midnight</p> <p>Tuesday a Two midnite til two</p> <p>Touch my Weasel 2-4 am</p> <p>Bubble's Punk Show 2 til 4 am</p>
<p>with Dough Rap</p> <p>2-5am Televised</p> <p>Guy Radio</p>	<p>Jodi's World 12 til 2</p> <p>Transmission Impossible 2-4 am</p> <p>the show with no name 3 - 6am</p>	<p>Cough Talk with Earth Dog 12 - 3 am</p> <p>the show with no name 3 - 6am</p>	<p>Love Your Mother S Zappa Hours 12 - 2 am</p> <p>Welcome to Insanity two - six am</p>	<p>The New Adventures of Col. Forbin 12:30 - 3:30am</p> <p>Mixed Signals 3:30 til 6:00 am</p>	<p>Tuesday a Two midnite til two</p> <p>Touch my Weasel 2-4 am</p> <p>Bubble's Punk Show 2 til 4 am</p>

Triple Crown

206 N. Edward Gary

Now with Full Bar

Live Music

eight nights a week

Finest

'Little Honky Tonk'

in San Marcos

not your typical sports bar, more like a Honky Tonk but with clean bathrooms

Open

7 am Monday thru Saturday

Sunday open at Noon

Do you know where to vote?

Do you

know

what

day


is

election

day

e?

?

Tell me who loves ya!! Get
Your late nite/early morning
Punk rock fixins with 
Bubbles!! Every Tuesday!! Here
morning from 4am-6am!! Here

is a small list of what I play:
Unwound, Thumbnail, Karate, GVSB,
... Trail of Dead, Kerosene 454, Built
to Spill, Tortoise, Jawbreaker, Raket
From the Crypt, June of '44, Shellac,
Cap'n Jazz, Drive Like Jehu, Regulator
Watts, Braid, Superchunk, Come, TANNER,
The Get Up Kids, REX, Avail, Fuel, +
many others!! So wake up or stay up
and watch it on 105.9 Fm (of course!!)

Make up your

Hays County Guardian News

- Ben and PK have been sentenced to six months in Texas State Jail, not to be confused with Hays County Jail, with no "good time", by the evil King. Is it not time for a new modern better improved model of Robin Hood? How many of our brothers and sisters will have to be punished, tortured, abused, destroyed families, destroyed careers and years removed from their lives before we get our sorry bodies in gear and pull our heads out of the sand and act like responsible human beings with an ounce of compassion in our souls and put an end to this War on Drugs. This war is destroying this country worse then the drugs could ever do. And the war is not against drugs. It is against the citizens of this here united States of America.

-City elections are coming up so start planning who you are going to take to the polls. The person taking the most people to vote at the city election, and a point and a half for each person you get voted during early voting, will have the choice of any time slot coming open for the next six months at kind Radio San Marcos or a μ Kind Party at their house. Which ever is less threatening? -possibly food and music at a local honky tonk if you show up with your voter registration card stamped- more to come -whatever- go vote!!!!
-Canada legalized industrial hemp-yes they did

You know you're a μ KIND Junkie when-

- you know more about other programmers schedule than you know your own work schedule.
- you have learned more about your civil and legal rights on μ Kind Radio then you did in high school
- you use this pick up line..."Hey Baby, you wanna go home with me...I'm a DJ for a radio station... μ Kind Radio that is!",(and your not).
- you brag to your buddies how you scored by using that pick-up line.
- people ask you for your phone number and you blurt out 754-0274, instead of your home number.

μ KIND RADIO SAN MARCOS' schedules are available most the time at the following locations:
Mystic Mark Tattoo Co. Sundance Records
Tejano Record Shop Annie's Typing
Hempton Ink Angles Tattoo Studio
Triple Crown Gordo's
Valentinos Pizza Cafe on the Square
Hill Country Humidor Pizza Classic
Kismet Public Library μ KIND Junkies
Blue Pearl Media Design (electronically)

INK ANGLES